

House Engrossed Senate Bill

State of Arizona
Senate
Forty-sixth Legislature
First Regular Session
2003

CHAPTER 158

SENATE BILL 1147

AN ACT

AMENDING SECTIONS 16-822, 48-802, 48-1012, 48-1208, 48-1404, 48-1908, 48-2010, 48-2107 AND 48-2208, ARIZONA REVISED STATUTES; RELATING TO THE CONDUCT OF ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 16-822, Arizona Revised Statutes, is amended to
3 read:

4 16-822. Precinct committeemen; eligibility; vacancy; duties

5 A. Any member of a recognized political party who is a registered
6 voter in the precinct is eligible to seek the office of precinct committeeman
7 of his party in that precinct.

8 B. IF THE NUMBER OF PERSONS WHO FILE NOMINATING PETITIONS FOR AN
9 ELECTION TO FILL PRECINCT COMMITTEEMAN POSITIONS IS LESS THAN OR EQUAL TO THE
10 NUMBER OF PRECINCT COMMITTEEMAN POSITIONS, THE COUNTY BOARD OF SUPERVISORS
11 MAY CANCEL THE ELECTION FOR THOSE POSITIONS AND APPOINT THE PERSON WHO FILED
12 THE NOMINATING PETITION TO FILL THE POSITION. IF NO PERSON HAS FILED A
13 NOMINATING PETITION TO FILL A POSITION, THE POSITION IS DEEMED VACANT AND
14 SHALL BE FILLED AS OTHERWISE PROVIDED BY LAW. A PRECINCT COMMITTEEMAN WHO
15 IS APPOINTED PURSUANT TO THIS SUBSECTION AFTER FILING A NOMINATING PETITION
16 SHALL BE DEEMED AN ELECTED PRECINCT COMMITTEEMAN.

17 ~~B.~~ C. In addition to other provisions of law regarding removal from
18 office, a vacancy shall exist in the office of precinct committeeman when the
19 precinct committeeman moves from the precinct from which elected or changes
20 his political party from the party in which he was elected.

21 ~~C.~~ D. The minimum duties of a precinct committeeman shall be to
22 assist his political party in voter registration and to assist the voters of
23 his political party to vote on election days. Additional duties shall be as
24 provided for in the state committee bylaws of the party of which he is a
25 member.

26 Sec. 2. Section 48-802, Arizona Revised Statutes, is amended to read:

27 48-802. Election procedures

28 A. All elections held pursuant to this article shall conform to the
29 requirements of this section.

30 B. Except as otherwise provided in this article, the manner of
31 conducting and voting at an election, contesting an election, keeping poll
32 lists, canvassing votes and certifying returns shall be the same, as nearly
33 as practicable, as in elections for county officers. If the fire district
34 is administered by a board, after consultation with the officer in charge of
35 elections, a fire district may divide itself into precincts. To the extent
36 practicable, the precincts shall be equal or as nearly equal in population
37 and shall conform to the boundaries of precincts adopted by the board of
38 supervisors of the county. The fire district shall thereafter conduct its
39 elections using those precincts.

40 C. No person may vote at the election other than a qualified elector
41 of this state who has registered to vote at least twenty-nine days before the
42 election at a residence within the district boundaries or proposed district
43 boundaries created by the merger of fire districts. A person offering to
44 vote at a fire district election for which no fire district register has been
45 supplied shall sign an affidavit stating his address and the fire district

1 in which he resides and swearing he is qualified to vote and has not voted
2 at the fire district election being held. A person offering to vote at a
3 fire district election for which a fire district register has been supplied
4 shall proceed as required for voting at any election at which precinct
5 registers are used.

6 D. In elections for an elected chief and secretary-treasurer or
7 district board members:

8 1. The person or persons within the district or precinct, as
9 applicable, receiving the highest number of votes shall be declared elected.

10 2. Candidates must be, and during incumbency must remain, qualified
11 electors of the fire district, or in an election to merge fire districts, the
12 proposed fire district. In a fire district that is divided into precincts
13 as prescribed by subsection B of this section, candidates shall be qualified
14 electors of the precinct in which they are candidates and during incumbency
15 must remain qualified electors of that precinct.

16 3. Elections, other than special elections to fill a vacancy or
17 elections to merge or dissolve fire districts, shall be held on the first
18 Tuesday after the first Monday in November of the first even numbered year
19 following the year the district is declared organized by the board of
20 supervisors and, in the case of a fire district administered by a district
21 board, every two years thereafter on the first Tuesday after the first Monday
22 in November. Elections shall be held every four years thereafter in
23 districts administered by an elected chief.

24 4. Except for an election to reorganize a fire district, nominating
25 petitions shall be filed with the board of supervisors as prescribed by title
26 16, chapter 3. If only one person files OR NO PERSON FILES a nominating
27 petition for an election to fill a position on the district board or the
28 position of elected fire chief or elected secretary-treasurer for which the
29 term of office is to expire, the board of supervisors may cancel the election
30 for that position and appoint the person who filed a THE nominating petition
31 to fill the position. IF NO PERSON FILES A NOMINATING PETITION FOR AN
32 ELECTION TO FILL A DISTRICT OFFICE, THE BOARD OF SUPERVISORS MAY CANCEL THE
33 ELECTION FOR THOSE OFFICES AND THOSE OFFICES ARE DEEMED VACANT AND SHALL BE
34 FILLED AS OTHERWISE PROVIDED BY LAW. A person who is appointed pursuant to
35 this paragraph is fully vested with the powers and duties of the office as
36 if elected to that office.

37 5. The names of all nominated persons for office within the district
38 or precinct, as applicable, shall appear on the ballot without partisan
39 designation.

40 E. In an election to reorganize or dissolve a fire district, notice
41 of the appropriate order of the board of supervisors or governing body of the
42 district shall be given as prescribed by title 16. An order to hold an
43 election shall be issued not more than thirty days from the receipt of
44 petitions pursuant to section 48-815.

1 F. In an election to merge fire districts, notice of the appropriate
2 order of the board of supervisors shall be given as prescribed by title
3 16. In addition, notice of the election with an accurate map of the
4 territory proposed to be merged shall be sent by first class mail to each
5 owner of property that would be subject to taxation by the merged district
6 at least sixty days before the election. An order to hold an election shall
7 be issued not more than thirty days after the receipt of petitions to merge
8 fire districts pursuant to section 48-820.

9 Sec. 3. Section 48-1012, Arizona Revised Statutes, is amended to read:

10 48-1012. Elected board of directors; initial members;
11 qualifications; terms; filling vacancy; chairman;
12 qualifications of electors

13 A. At the option of the board of supervisors after presentation of a
14 petition requesting the establishment of a domestic water improvement
15 district or a domestic wastewater improvement district, or upon the
16 submission of a separate petition following the establishment of an
17 improvement district as prescribed by section 48-903, and subsequent to the
18 approval of the county board of supervisors, the district shall be governed
19 by an elected board of directors. The elected board shall consist of the
20 number of members, not less than three, specified in the petition for
21 establishment of the district. The first directors of such board shall be
22 selected by the board of supervisors at the time the district is
23 established. Members of the board of directors shall be qualified electors
24 of the district and, after the members first appointed by the board of
25 supervisors, shall be elected by the qualified electors of the district.

26 B. Immediately after the selection and qualification of the first
27 directors of the board, the directors shall meet and divide themselves by lot
28 into two classes as nearly equal in number as possible. Directors of the
29 first class shall serve for a term of four years, and directors of the second
30 class shall serve for a term of two years. Every director shall continue to
31 discharge the duties of office until a successor is appointed and
32 qualifies. Thereafter, at each regular election, one director for each
33 expired term shall be elected and shall hold office for a term of four years,
34 and until a successor is elected and qualifies. The dates of elections and
35 of expiration of terms shall be specified in the petition for establishment
36 of the district.

37 C. If a vacancy in the district board occurs due to death or
38 disability or any other cause other than resignation, the board of directors
39 of the district shall appoint a qualified elector of the district to fill the
40 office for the remaining portion of that term. If there is a vacancy in the
41 district board due to resignation, the district board shall accept the
42 resignation and appoint a qualified elector to fill the remaining portion of
43 that term of office. If the district board lacks a quorum for any reason for
44 more than thirty days, the county board of supervisors may revoke the

1 authority of the appointed or elected board of directors pursuant to section
2 48-1016.

3 D. The board of directors shall annually elect a chairman from among
4 its members.

5 E. If only one person files OR NO PERSON FILES a nominating petition
6 for election to fill a position on the board of directors of the district,
7 the county board of supervisors, by resolution, may cancel the election for
8 that office and appoint the person who filed the nominating petition to fill
9 that position. IF NO PERSON FILES A NOMINATING PETITION FOR AN ELECTION TO
10 FILL A DISTRICT BOARD OFFICE, THE COUNTY BOARD OF SUPERVISORS, BY RESOLUTION,
11 MAY CANCEL THE ELECTION FOR THOSE OFFICES AND THOSE OFFICES ARE DEEMED VACANT
12 AND SHALL BE FILLED AS OTHERWISE PROVIDED BY LAW. A PERSON WHO IS APPOINTED
13 PURSUANT TO THIS SECTION IS FULLY VESTED WITH THE POWERS AND DUTIES OF THE
14 OFFICE AS IF ELECTED TO THAT OFFICE.

15 F. For THE purposes of a domestic water improvement district that is
16 organized pursuant to this article and that has a population of ten thousand
17 persons or less according to the most recent United States decennial census,
18 in addition to any other qualified elector of the district, any natural
19 person who is a qualified elector of this state and WHO IS a real property
20 owner within the district is eligible to vote in a district election without
21 regard to that person's residency.

22 Sec. 4. Section 48-1208, Arizona Revised Statutes, is amended to read:

23 48-1208. Board of directors; qualifications; term; appointment;
24 election; compensation; expenses

25 A. A district having an area of one hundred sixty acres or more shall
26 be governed by a board of at least three directors. Members of the board of
27 directors shall be registered voters of the district and, after the initial
28 members, shall be elected by the registered voters of the district. The
29 number of directors, AND the dates of elections and of expiration of terms
30 of the directors shall be specified in the petition for establishment of the
31 district pursuant to section 48-261. CANDIDATES FOR A DISTRICT BOARD OFFICE
32 SHALL FILE NOMINATING PETITIONS WITH THE BOARD OF SUPERVISORS AS PRESCRIBED
33 BY TITLE 16, CHAPTER 3. IF ONLY ONE PERSON FILES OR NO PERSON FILES A
34 NOMINATING PETITION FOR AN ELECTION TO FILL A DISTRICT OFFICE, THE BOARD OF
35 SUPERVISORS MAY CANCEL THE ELECTION FOR THE POSITION AND APPOINT THE PERSON
36 WHO FILED THE NOMINATING PETITION TO FILL THE POSITION. IF NO PERSON FILES
37 A NOMINATING PETITION FOR AN ELECTION TO FILL A DISTRICT OFFICE, THE BOARD
38 OF SUPERVISORS MAY CANCEL THE ELECTION FOR THAT OFFICE AND THAT OFFICE IS
39 DEEMED VACANT AND SHALL BE FILLED AS OTHERWISE PROVIDED BY LAW. A PERSON WHO
40 IS APPOINTED PURSUANT TO THIS SECTION IS FULLY VESTED WITH THE POWERS AND
41 DUTIES OF THE OFFICE AS IF ELECTED TO THAT OFFICE.

42 B. A director who resides in an area which is deleted from the
43 district during his THE DIRECTOR'S term of office shall continue to serve
44 until the next regular election, and until his THE DIRECTOR'S successor is
45 elected and qualified. If his THE DIRECTOR'S term does not expire at that

1 time, a new qualified director shall be elected to serve out the unexpired
2 portion.

3 C. A district having an area of less than one hundred sixty acres
4 shall be governed by the boards of supervisors or their designees of the
5 counties in which the district is located, and the boards of supervisors
6 shall constitute the board of directors of the district.

7 D. Members of the board are not eligible to receive compensation but
8 are eligible for reimbursement of expenses pursuant to title 38, chapter 4,
9 article 2.

10 E. The board of directors shall annually elect from among its members
11 a chairman of the board to serve as the chief executive officer of the board
12 of directors of the district.

13 Sec. 5. Section 48-1404, Arizona Revised Statutes, is amended to read:

14 48-1404. Election of trustees; vacancies

15 A. An election shall be held in the special road district on the
16 fourth Tuesday in February of each year to elect trustees to fill vacancies
17 caused by expiration of term of office or otherwise. The trustee elected to
18 succeed the trustee whose term has expired shall hold office for three years
19 from the first Saturday in March next succeeding his election. Persons
20 elected to fill a vacancy shall serve during the remainder of the term.

21 B. The election shall be held at such places as the board of trustees
22 shall by resolution determine, after notice thereof posted for ten days next
23 preceding the election in three conspicuous places in each precinct into
24 which the district may be divided for the purposes of election. CANDIDATES
25 FOR THE OFFICE OF TRUSTEE SHALL FILE NOMINATING PETITIONS WITH THE BOARD OF
26 SUPERVISORS AS PRESCRIBED BY TITLE 16, CHAPTER 3. IF ONLY ONE PERSON FILES
27 OR NO PERSON FILES A NOMINATING PETITION FOR AN ELECTION TO FILL A DISTRICT
28 OFFICE, THE BOARD OF SUPERVISORS MAY CANCEL THE ELECTION FOR THE POSITION AND
29 APPOINT THE PERSON WHO FILED THE NOMINATING PETITION TO FILL THE POSITION.
30 IF NO PERSON FILES A NOMINATING PETITION FOR AN ELECTION TO FILL A DISTRICT
31 OFFICE, THE BOARD OF SUPERVISORS MAY CANCEL THE ELECTION FOR THAT OFFICE AND
32 THAT OFFICE IS DEEMED VACANT AND SHALL BE FILLED AS OTHERWISE PROVIDED BY
33 LAW. A PERSON WHO IS APPOINTED PURSUANT TO THIS SECTION IS FULLY VESTED WITH
34 THE POWERS AND DUTIES OF THE OFFICE AS IF ELECTED TO THAT OFFICE.

35 C. The returns of election shall be made to the board of supervisors,
36 which shall canvass the returns and issue certificates of election.

37 D. The office of a trustee who removes from the district or who ceases
38 to possess the qualifications of a trustee, as prescribed by this article,
39 shall become vacant. The remaining members of the board of trustees in which
40 a vacancy occurs shall within thirty days by resolution declare the office
41 vacant, appoint a successor to fill the vacancy for the unexpired term and
42 certify the appointment to the board of supervisors, which shall issue a
43 certificate of the appointment. IF THE MEMBERS OF THE BOARD OF TRUSTEES DO
44 NOT CONSTITUTE A QUORUM, THE COUNTY BOARD OF SUPERVISORS SHALL MAKE THE
45 APPOINTMENT TO FILL THE VACANCY.

1 Sec. 6. Section 48-1908, Arizona Revised Statutes, is amended to read:
2 48-1908. Board of directors; members; qualifications; terms;
3 organization

4 A. The board of directors of the district shall be composed of five
5 citizens who are resident real property owners within the district, none of
6 whom is an elective or appointive state, county or city official.

7 B. Directors shall serve four year terms beginning on the first day
8 of the month immediately following declaration of election to
9 office. Elections shall be held on either the fourth Tuesday in February,
10 the second Tuesday in June or the first Tuesday after the first Monday in
11 November of every even numbered year.

12 C. CANDIDATES FOR A DISTRICT BOARD OFFICE SHALL FILE NOMINATING
13 PETITIONS WITH THE BOARD OF SUPERVISORS AS PRESCRIBED BY TITLE 16, CHAPTER
14 3. If only one person files OR NO PERSON FILES a nominating petition for an
15 election to fill a position on the board for which the term of office is to
16 expire, then the board may cancel the election for that position and appoint
17 the person who filed a nominating petition to fill the position. IF NO
18 PERSON FILES A NOMINATING PETITION FOR AN ELECTION TO FILL A DISTRICT OFFICE,
19 THE BOARD OF SUPERVISORS MAY CANCEL THE ELECTION FOR THAT OFFICE AND THAT
20 OFFICE IS DEEMED VACANT AND SHALL BE FILLED AS OTHERWISE PROVIDED BY LAW.
21 Vacancies occurring other than by expiration of term may be filled by the
22 remaining directors, EXCEPT THAT IF THE REMAINING DIRECTORS DO NOT CONSTITUTE
23 A QUORUM, THE COUNTY BOARD OF SUPERVISORS SHALL MAKE THE APPOINTMENT TO FILL
24 THE VACANCY.

25 D. The board shall be a body corporate, under the name "board of
26 directors for _____ hospital," or "board of directors for _____ urgent care
27 center" with the name of the hospital or urgent care center inserted.

28 E. Not later than sixty days after an election the board shall meet
29 and reorganize by electing from its membership a chairman and a
30 vice-chairman. In addition thereto, the board may appoint a secretary who
31 shall not be a member of the board and who may be paid a salary fixed by the
32 board.

33 Sec. 7. Section 48-2010, Arizona Revised Statutes, is amended to read:
34 48-2010. Board of directors; qualifications; term; appointment;
35 election; reorganization; compensation; expenses

36 A. A sanitary district having an area of one hundred sixty acres or
37 more shall be governed by a board of directors with not less than three
38 members. Members of the board of directors shall be qualified electors of
39 the district. Immediately after the first regular election held subsequent
40 to the enactment of this section by a sanitary district organized and
41 existing prior to such enactment, the directors shall meet and divide
42 themselves by lot into two classes as nearly equal in number as
43 possible. Directors of the first class shall serve for a term of four years,
44 and directors of the second class for a term of two years, and until their
45 THE DIRECTORS' successors are elected and qualified. Thereafter at each

1 regular election one director for each expired term shall be elected, and
2 shall hold office for a term of four years, and until his THE DIRECTOR'S
3 successor is elected and qualified. The dates of elections and of expiration
4 of terms of the initial directors shall be specified in the petition for
5 establishment of the district. EXCEPT FOR AN ELECTION TO REORGANIZE A
6 SANITARY DISTRICT, CANDIDATES FOR DIRECTORS SHALL FILE NOMINATING PETITIONS
7 WITH THE BOARD OF SUPERVISORS AS PRESCRIBED BY TITLE 16, CHAPTER 3. IF ONLY
8 ONE PERSON FILES OR NO PERSON FILES A NOMINATING PETITION FOR AN ELECTION TO
9 FILL A DISTRICT OFFICE, THE BOARD OF SUPERVISORS MAY CANCEL THE ELECTION FOR
10 THE POSITION AND APPOINT THE PERSON WHO FILED THE NOMINATING PETITION TO FILL
11 THE POSITION. IF NO PERSON FILES A NOMINATING PETITION FOR AN ELECTION TO
12 FILL A DISTRICT OFFICE, THE BOARD OF SUPERVISORS MAY CANCEL THE ELECTION FOR
13 THAT OFFICE AND THAT OFFICE IS DEEMED VACANT AND SHALL BE FILLED AS OTHERWISE
14 PROVIDED BY LAW. A PERSON WHO IS APPOINTED PURSUANT TO THIS SECTION IS FULLY
15 VESTED WITH THE POWERS AND DUTIES OF THE OFFICE AS IF ELECTED TO THAT OFFICE.

16 B. A director who resides in an area which is deleted from the
17 sanitary district during his THE DIRECTOR'S term of office shall continue to
18 serve until the next regular election, and until his THE DIRECTOR'S successor
19 is elected and qualified. If his THE DIRECTOR'S term does not expire at that
20 time, a new qualified director shall be elected to serve out the unexpired
21 portion.

22 C. A sanitary district having an area of less than one hundred sixty
23 acres shall be governed by the board of supervisors of the county in which
24 the district is located, and the board of supervisors shall be the board of
25 directors of the district. On receipt of a petition that contains the
26 signatures of twenty-five per cent or more of the qualified electors residing
27 in the district that are verified by the county recorder and that requests
28 that the district be reorganized and administered by its own board of
29 directors, the board of supervisors shall call an election on the
30 reorganization of the sanitary district, except that the board of supervisors
31 shall not call an election to reorganize a sanitary district more frequently
32 than once every two years. The petition for the reorganization of the
33 district shall specify either three or five as the number of directors for
34 the reorganized sanitary district. The ballot for the reorganization
35 election shall state "reorganize as a sanitary district administered by a
36 board of directors consisting of (insert three members or five members, as
37 appropriate) - yes", "reorganize as a sanitary district administered by a
38 board of directors consisting of (insert three or five members, as
39 appropriate) - no". The ballot shall also allow each elector to indicate the
40 elector's choice for board members in the event of reorganization. Within
41 fourteen days after the election, the board of supervisors shall meet and
42 canvass the returns, and if it is determined that a majority of the votes
43 cast at the election was in favor of reorganizing the sanitary district, the
44 board shall enter that fact on its minutes, declare the district duly
45 reorganized and announce the names of those elected to the district board.

1 D. Each director of a sanitary district shall receive not more than
2 one hundred fifty dollars per month or a lesser amount as set by the board
3 of directors of the district plus necessary traveling expenses, but members
4 of the board of supervisors when serving as directors of a sanitary district
5 shall receive no compensation for attending meetings but shall be reimbursed
6 for their necessary expenses. No director shall receive compensation, other
7 than expenses, for attending more than four meetings of the board during a
8 calendar month.

9 E. For a district that is not governed by the board of supervisors,
10 if a vacancy occurs on the district board due to death, disability,
11 resignation or any other cause, the board of directors of the sanitary
12 district shall appoint a qualified elector of the district to fill the office
13 for the remaining portion of that term, EXCEPT THAT IF THE REMAINING
14 DIRECTORS DO NOT CONSTITUTE A QUORUM, THE COUNTY BOARD OF SUPERVISORS SHALL
15 MAKE THE APPOINTMENT TO FILL THE VACANCY.

16 Sec. 8. Section 48-2107, Arizona Revised Statutes, is amended to read:
17 48-2107. Directors; terms; qualifications; first meeting

18 A. The term of office of a director is for two years after election
19 and until his THE DIRECTOR'S successor has qualified, except that if during
20 his THE DIRECTOR'S term of office he THE DIRECTOR sells or otherwise disposes
21 of the land he THE DIRECTOR owned within the district, his THE DIRECTOR'S
22 term automatically expires and a vacancy exists in the directors. If for any
23 reason a vacancy exists in the directors, the board of supervisors shall
24 appoint a director who is a landowner within the district to serve for the
25 remainder of the unexpired term. The election for the office of director
26 shall be held every two years after the first election on a date to be set
27 by the board. CANDIDATES FOR THE OFFICE OF DIRECTOR SHALL FILE NOMINATING
28 PETITIONS WITH THE BOARD OF SUPERVISORS AS PRESCRIBED BY TITLE 16, CHAPTER
29 3. IF ONLY ONE PERSON FILES OR NO PERSON FILES A NOMINATING PETITION FOR AN
30 ELECTION TO FILL A DISTRICT OFFICE, THE BOARD OF SUPERVISORS MAY CANCEL THE
31 ELECTION FOR THE POSITION AND APPOINT THE PERSON WHO FILED THE NOMINATING
32 PETITION TO FILL THE POSITION. IF NO PERSON FILES A NOMINATING PETITION FOR
33 AN ELECTION TO FILL A DISTRICT OFFICE, THE BOARD OF SUPERVISORS MAY CANCEL
34 THE ELECTION FOR THAT OFFICE AND THAT OFFICE IS DEEMED VACANT AND SHALL BE
35 FILLED AS OTHERWISE PROVIDED BY LAW. A PERSON WHO IS APPOINTED PURSUANT TO
36 THIS SECTION IS FULLY VESTED WITH THE POWERS AND DUTIES OF THE OFFICE AS IF
37 ELECTED TO THAT OFFICE.

38 B. To qualify as director, every person so elected or appointed shall
39 file an oath of office with the clerk of the board in the same manner as all
40 other county officers.

41 C. Within ten days after their THE DIRECTOR'S election and
42 qualification, the directors shall meet and elect ~~one of their number~~
43 ~~chairman, one of their number vice-chairman and one of their number~~ FROM ITS
44 MEMBERS A CHAIRPERSON, VICE-CHAIRPERSON AND secretary, whose duties shall be
45 those commonly performed by those officers.

1 Sec. 9. Section 48-2208, Arizona Revised Statutes, is amended to read:
2 48-2208. Board of directors; selection; qualifications; terms;
3 compensation; expenses; restrictions

4 A. A health service district shall be governed by a board of directors
5 of at least three members.

6 B. At the election to determine whether a district shall be formed,
7 as provided in section 48-2203, the ballot shall contain the names of three
8 or more persons to be elected to the board of directors. These persons may
9 be nominated in the petition for formation of a district or by fifty or more
10 persons qualified to vote in the election.

11 C. Members of the board of directors shall be qualified electors of
12 the district as prescribed by section 48-2206. No member may be an elective
13 or appointive state, county, city or town official or a member of the
14 governing board of any other medical clinic as defined in section 48-2202,
15 subsection B or other health care institution as defined in section 36-401.

16 D. Immediately after the election and qualification of the first
17 directors, the directors shall meet and divide themselves by lot into two
18 classes as nearly equal in number as possible. Directors of the first class
19 shall serve for a term of four years, and directors of the second class shall
20 serve for a term of two years, and until their THE DIRECTOR'S successors are
21 elected and qualified. Thereafter at each regular election one director for
22 each expired term shall be elected and shall hold office for a term of four
23 years, and until his THE DIRECTOR'S successor is elected and qualified. The
24 dates of elections and of expiration of terms of the directors shall be
25 specified in the petition for establishment of the district. CANDIDATES FOR
26 THE OFFICE OF DIRECTOR SHALL FILE NOMINATING PETITIONS WITH THE BOARD OF
27 SUPERVISORS AS PRESCRIBED BY TITLE 16, CHAPTER 3. IF ONLY ONE PERSON FILES
28 OR NO PERSON FILES A NOMINATING PETITION FOR AN ELECTION TO FILL A DISTRICT
29 OFFICE, THE BOARD OF SUPERVISORS MAY CANCEL THE ELECTION FOR THE POSITION AND
30 APPOINT THE PERSON WHO FILED THE NOMINATING PETITION TO FILL THE POSITION.
31 IF NO PERSON FILES A NOMINATING PETITION FOR AN ELECTION TO FILL A DISTRICT
32 OFFICE, THE BOARD OF SUPERVISORS MAY CANCEL THE ELECTION FOR THAT OFFICE AND
33 THAT OFFICE IS DEEMED VACANT AND SHALL BE FILLED AS OTHERWISE PROVIDED BY
34 LAW. A PERSON WHO IS APPOINTED PURSUANT TO THIS SECTION IS FULLY VESTED WITH
35 THE POWERS AND DUTIES OF THE OFFICE AS IF ELECTED TO THAT OFFICE.

36 E. A director who resides in an area that is deleted from the health
37 service district during his THE DIRECTOR'S term of office shall continue to
38 serve until the next regular election, and until his THE DIRECTOR'S successor
39 is elected and qualified. If his THE DIRECTOR'S term does not expire at that
40 time, a new qualified director shall be elected to serve out the unexpired
41 portion of the term.

1 F. Each director of a health service district shall receive not more
2 than fifteen dollars for each meeting of the board of directors attended by
3 him and reimbursement for necessary travel expenses. No director is eligible
4 to receive compensation, other than expenses, for attending more than four
5 meetings of the board of directors during a calendar month.

APPROVED BY THE GOVERNOR MAY 6, 2003.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 6, 2003.

Passed the House March 31, 20 03,

by the following vote: 58 Ayes,

1 Nays, 1 Not Voting

Jake Flake
Speaker of the House

Cheryl Laube
ASST. Chief Clerk of the House

Passed the Senate February 26, 20 03,

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

Ken Blumett
President of the Senate

Charmine Billington
Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR**

This Bill was received by the Governor this

 day of , 20 ,

at o'clock M.

Secretary to the Governor

Approved this day of

 , 20 ,

at o'clock M.

Governor of Arizona

S.B. 1147

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE**

This Bill was received by the Secretary of State

this day of , 20 ,

at o'clock M.

Secretary of State

SENATE CONCURS IN HOUSE AMENDMENTS
AND FINAL PASSAGE

Passed the Senate April 30, 2003

by the following vote: 25 Ayes,

4 Nays, 1 Not Voting

Klu Blumett
President of the Senate
Chaimin Bellinger
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

30 day of April, 2003

at 3:37 o'clock P M.
Dandra Hamer
Secretary to the Governor

Approved this 6 day of

May, 2003,

at 2:15 o'clock P M.

Jon R. Rupp
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 6 day of May, 2003,

at 4:26 o'clock P M.

Janice L. Brewer
Secretary of State

S.B. 1147